

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRANDON JAMES BELAKOVICH,

Defendant.

CR 18-06-BLG-DLC

ORDER

United States Magistrate Judge Timothy J. Cavan entered Findings and Recommendation in this matter on May 31, 2018. Neither party objected and therefore they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). This Court will review the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).


Judge Cavan recommended this Court accept Brandon James Belakovich’s

guilty plea after Belakovich appeared before him pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to three counts of distribution of methamphetamine in violation of 21 U.S.C. § 841(a)(1) as charged in the Indictment.

I find no clear error in Judge Cavan's Findings and Recommendation (Doc. 30), and I adopt them in full.

Accordingly, IT IS ORDERED that Brandon James Belakovich's motion to change plea (Doc. 23) is GRANTED and Brandon James Belakovich is adjudged guilty as charged in the Indictment.

DATED this 15th day of June, 2018.



Dana L. Christensen, Chief District Judge
United States District Court